

## UNITED STATES DISTRICT COURT

for the

Southern District of Iowa

United States of America )

v. )

Desseray Monique Wright )

Case No: 4:05-cr-00051-002

USM No: 12631-424

Date of Previous Judgment: 04/07/2006 )

J. Michael Mayer

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**

Defendant was sentenced to the statutory minimum sentence for her cocaine base crime. The retroactive sentencing guidelines amendment does not reduce her base offense level. See U.S.S.G. § 5G1.1(a). Thus, a sentence reduction is not available in these circumstances. See U.S.S.G. § 1B1.10.

Except as provided above, all provisions of the judgment dated 04/07/2006 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 11/01/2011



Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Harold D. Vietor, Senior U.S. District Judge

Printed name and title